

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

IN RE:	May 18, 2004)	
)	
UNITED CITIES GAS COMPANY, a Division of)	DOCKET NO.
ATMOS ENERGY CORPORATION, PETITION)	02-00850
TO AMEND THE PERFORMANCE BASED)	
RATEMAKING MECHANISM RIDER)	

ORDER EXTENDING JURISDICTION OF HEARING OFFICER

This matter came before Chairman Deborah Taylor Tate, Director Pat Miller and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on April 12, 2004, to consider extending the authority of the Hearing Officer to include rendering a decision on the merits. On August 9, 2002, United Cities Gas Company, a Division of Atmos Energy Corporation, filed a *Petition By United Cities Gas Company to Amend the Performance Based Ratemaking Mechanism Rider to its Tariff* ("Petition"). At a regularly scheduled Authority Conference held on March 3, 2003, the voting panel assigned to this Docket voted to appoint the Authority's General Counsel or his designee to act as Hearing Officer to hear preliminary matters prior to the Hearing, to rule on any petitions for intervention, and to set a procedural schedule to completion.¹

During the April 12, 2004 Authority Conference, the panel voted unanimously to extend the Hearing Officer's jurisdiction in this matter to include making findings of fact and

¹ *Order Suspending Tariff for an Additional Ninety (90) Days, Convening a Contested Case Proceeding, Granting Intervention and Appointing a Pre-Hearing Officer*, p 2 (April 9, 2003)

conclusions of law, as necessary, and to include rendering an initial decision on the merits of the *Petition*, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law.

IT IS THEREFORE ORDERED THAT:

The jurisdiction of the Hearing Officer in this matter is extended to include making findings of fact and conclusions of law, as necessary, and to include rendering an initial decision on the merits of the *Petition*, pursuant to Tenn. Code Ann. §§ 4-5-301 and 65-2-111 and such other legal authority as may be provided by law.



Deborah Taylor Tate, Chairman



Pat Miller, Director



Ron Jones, Director